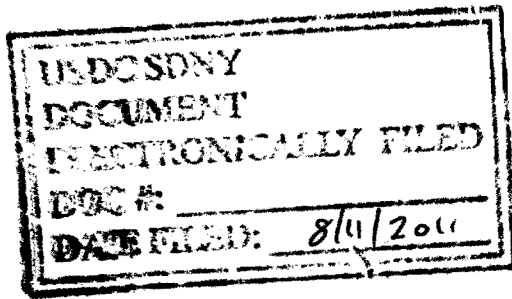


KCESD

KARBAL | COHEN | ECONOMOU | SILK | DUNNE



150 South Wacker Drive
Suite 1700
Chicago, IL 60606

T312.431.3700 F312.431.3670

CHARLES F. MORRISSEY
Direct: 312.431.3634
cmorrissey@karballaw.com

August 10, 2011

VIA FACSIMILE
(212) 857-2346

The Honorable Denny Chin
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1020
New York, New York 10007

Re: Securities and Exchange Commission v. Byers, et al.
Civil Action No. 08-Civ.-7104 (DC)

Dear Judge Chin:

Further to your instructions at the hearing in the above captioned matter on August 3, 2011 and your Minute Entry of August 4, 2011, please allow this letter to confirm the schedule in this matter and the agreement among counsel with respect to Liberty Mutual Insurance Company's ("Liberty") first filed declaratory judgment action pending in the United States District Court for the Northern District of Illinois, *Liberty Mutual Insurance Company v. Much Shelist Denenberg Ament & Rubenstein, P.C., et al.*, case no. 11-cv-04769 (the "Illinois Action"). Liberty will be filing the attached Motion to Extend Time For All Defendants To Answer or Otherwise Plead To Complaint For Declaratory Judgment And For Other Relief in the Illinois Action tomorrow, August 11, 2011 (the "Motion").

The Motion requests that Judge Der-Yeghiayan extend the time for all defendants to answer or otherwise plead in the Illinois Action to and including October 31, 2011. The Motion also requests that Judge Der-Yeghiayan postpone the Initial Status Hearing and the duties of the litigants to file an Initial Status Report, Joint Jurisdictional Statement and serve Fed.R.Civ.P. 26 Initial Disclosures. The Motion also advises that Liberty will file a status report in the Illinois Action as soon as practicable after you rule on the Motion to Enjoin, Liberty's Motion to Dismiss based on the first-to-file rule and other defenses and Westport's Motion to Dismiss. The Motion also advises that in the event you do not rule by October 31, 2011, Liberty will file a second motion requesting the same relief for an additional period of time while the parties await your rulings.

The Honorable Denny Chin
August 10, 2011
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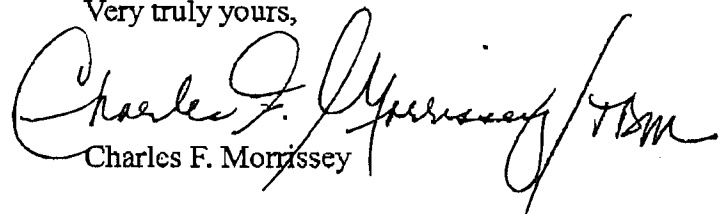
With respect to the schedule in this matter, we ask that the Court enter the following briefing schedule:

1. Liberty's Response to Motion to Enjoin, Liberty's Motion to Dismiss and Westport's Motion to Dismiss are to be filed on or before September 7, 2011;
2. Receiver's Reply In Support of Motion to Enjoin, Response to Liberty's Motion to Dismiss and Response to Westport's Motion to Dismiss are to be filed on or before September 21, 2011; and
3. Reply Memoranda with respect to the Motions to Dismiss are to be filed on or before October 5, 2011.

Please note that Liberty's Response to the Motion to Enjoin and Motion to Dismiss would have been due on September 6, 2011 pursuant to your prior order. We have conferred with counsel for the Receiver who has consented to an additional day for Liberty's filings to avoid having to file these papers the day after the Labor Day holiday.

We trust all of the above meets with your approval. If so, could you please "So Order" this letter. As always, if you or your clerks require anything additional from the parties, please feel free to contact us.

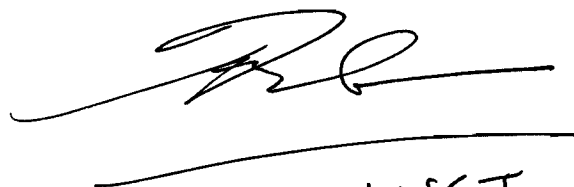
Very truly yours,


Charles F. Morrissey

CFM/amp

cc: Scott H. Casher, Esq. (via e-mail)
John K. Warren, Esq. (via e-mail)
Paula E. Litt, Esq. (via e-mail)
Howard S. Suskin, Esq. (via e-mail)
Alistaire Bambach, Esq. (via e-mail)
Neal Jacobson, Esq. (via e-mail)
Robert P. Conlon, Esq. (via e-mail)
Randy Paar, Esq. (via e-mail)
John P. Winsbro, Esq. (via e-mail)

SO ORDERED.



USCT
Sitting By
Designation

8/11/11